

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

YVONNE FROST,

Plaintiff,

-against-

MT. SINAI HOSPITAL, et al.,

Defendants.

1:20-CV-0780 (CM)

ORDER OF DISMISSAL  
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

In an order dated November 7, 2019, and entered the next day, the Court barred Plaintiff from filing any new civil action in this Court *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Frost v. City of New York (HRA)*, ECF 1:19-CV-8936, 6 (S.D.N.Y. Nov. 7, 2019). On January 28, 2020, Plaintiff filed this new *pro se* civil action. But she did not pay the relevant fees or submit an IFP application with her complaint.

Because a plaintiff may bring a civil action in a federal district court only by paying the relevant fees or by seeking IFP status, *see* 28 U.S.C. §§ 1914, 1915, and because Plaintiff has not paid those fees, the Court construes Plaintiff's complaint as seeking IFP status. Plaintiff has not sought leave from the Court to file this action. Accordingly, the Court dismisses this action without prejudice for Plaintiff's failure to comply with the November 7, 2019 order in *Frost*, ECF 1:19-CV-8936, 6.

The Court directs the Clerk of Court to note service on the docket. Plaintiff has consented to electronic service of Court documents. (ECF 2 & 3.) The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: February 4, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge